

APPROVED 4.16.2020
DIST: 4.22.2020

ZONING BOARD OF APPEALS
Ipswich, Massachusetts
Meeting Minutes
February 13, 2020

Pursuant to a written notice posted by the Town Clerk and published in the Ipswich Chronicle, a newspaper of general circulation, the Ipswich Zoning Board of Appeals held meeting on Thursday February 13, 2020 at 7:30 p.m. in COA Cafeteria - Basement Level of Town Hall, 25 Green Street, Ipswich, MA. Members attending were Chair Robert Gambale, Lewis Vlahos, Robert Clocker, Becky Gayton, Associate Members Justin Planasch and Robert Tragert. Also, Administrative Assistant Marie Rodgers.

Benjamin Fierro was absent with prior notice.

This meeting was recorded by ICAM.

Citizen Queries: There were none.

Chair Announced: the continuation of 40 Pineswamp Road - **Peter Pappalimberis** requests an **Appeal** of the Building Commissioner's Violation Notice and Order at **40 Pineswamp Road** (Assessor's Map 41A, Parcel 8A) (continued from the November 2019 and meeting January 2020 meetings)

Public Hearings continued:

25 Pleasant Street, Elder Friendly Housing, LLC. Karl Mayer requests a Comprehensive Permit approval, pursuant to MGL Ch. 40B, to construct eight (8) age-restricted for-sale dwelling units of which 25% (2 units) would be subsidized for low to moderate income use. (Map 41B Lot 043) (continued from August 2018; through November 2019 and January 2020 meetings)

Chair read the request to continue the public hearing to the April 16, 2020 meeting.

Public Hearing:

15 Arrowhead Trail, Jake Rogers requests a Special Permit pursuant to sections XI.J VI Table of Table of Dimensional and Density Regulations footnote 2 for a for an addition of a garage reducing the left side setback no greater than 50% of the required at (Assessor's Map 31B, Lot 021)

Chairman Gambale read the legal notice and opened the public hearing and assigned Justin Planash as a voting member.

Discussion was held regarding the location of the structure and proposed structures on the lot.

The proposal is for 10'x15' addition and 28' x 24' garage. Currently, the left side set back is 50-feet; the proposal is to reduce it to 30-feet. The existing home is non-conforming due to insufficient frontage and side setback.

Chairman Gambale reviewed his observations and photos of the house. The garage will be one story, no loft proposed. Mr. Clocker discussed the finish siding matching the house, from structure having two garage doors, location of windows on the side facing the neighbor and all new lighting face downward.

MOTION:

Chairman Gambale moved that the Board find that the structure is legally preexisting non-conforming structure, with non-conforming front and side setbacks. Mr. Vlahos seconded the motion passed unanimously.

MOTION:

Chairman Gambale moved that the Board find that the relief sought by the Petitioner will not be more substantially detrimental to the neighborhood than the existing nonconforming structure. Mr. Vlahos seconded, the motion passed unanimously.

Chairman Gambale reviewed the criteria in section XI.J - II a & b

MOTION:

Mr. Clocker moved that the Board find the applicant has met criteria in both a & b. Mr. Vlahos seconded the motion passed unanimously.

MOTION:

Mr. Clocker moved that the Board find the applicant has met criteria 1-6. Mr. Vlahos seconded the motion passed unanimously.

MOTION:

Mr. Clocker moved that the Board grant the Petitioner's request for a Special Permit pursuant to IIB.2 and XI.J of the Protective Zoning Bylaw to construct a garage in accordance with paperwork dated 1/21/1010 in the application of Jake Rogers 10 pages of documents. Subject to the following conditions: the garage shall be no closer than 30-feet from the left side setback; no decrease to the front setback from the existing house; with the condition that there are two garage doors, siding material to match the house with two windows or more added to the side facing the neighbor; all lightning will be facing downwards. Mr. Vlahos seconded, the motion passed unanimously.

Documents and exhibits used by the Appeals Board: Petition and associated documentation.

Approval of Minutes:

Mr. Gambale moved to approve and accept meeting minutes of 1.23.2020 as amended. Mr. Vlahos seconded, the motion passed unanimously. *(meeting minutes hereby incorporated by reference)*

Adjourn - It was moved, seconded and unanimously voted to adjourn at 8:12 p.m.

Respectfully submitted,
Marie Rodgers
Administrative Assistant

These minutes were approved by the Board on 4.16.2020